

USMCA PEIS Comments regarding the Border Barrier

A total of ten discrete comments were received on the Final PEIS, which represents input from a total of 17 individuals and organizations. Of the ten comments received, seven included comments directed at the CBP Border Fence project, which is currently in the initial stages of construction.

Commenter	Comment
Dave Gibson, Executive Officer, San Diego Water Board Todd Gloria, Mayor, City of San Diego Joe Stuyvesant, President/CEO, Port of San Diego County of San Diego City of Imperial Beach Surfrider Foundation	With regard to Action 20, the U.S. Customs and Border Protection (CBP) Tijuana River Border Barrier Project, there are potential hydrology and flooding impacts upstream and downstream from construction and operation of the proposed project that potentially creates new challenges for EPA to implement a comprehensive solution to control transboundary pollution. We strongly encourage EPA and USIBWC continue their efforts to coordinate with CBP after completing this Final PEIS and during preparation of subsequent tiered NEPA analyses to complete the necessary environmental and technical reviews that are normally required for any major infrastructure project with known impacts within a waterway. As the Final PEIS carefully identifies and considers potential impacts of Core and Supplement Projects of Alternative 2 on CBP activities, it is equally important that the Tijuana River Border Barrier project also support the pollution control efforts identified by EPA and USIBWC.
Sarah Davidson Clean Border Water Now Manager, Surfrider Foundation San Diego County Chapter Mitch Silverstein Policy Coordinator Surfrider Foundation San Diego County Chapter Ben McCue Executive Director Outdoor Outreach	Surfrider signed onto the Draft PEIS comments submitted by David W. Gibson (Executive Officer of the San Diego Regional Water Quality Control Board) et al. and agrees that considerations should be made in any future planning, designing, and implementing of border projects. Surfrider understands the EPA and USIBWC response to this concern, but would urge the EPA and USIBWC to engage Customs and Border Patrol ("CBP") during the design phase, prior to the start of construction, so that these considerations can be incorporated into the design of any border infrastructure moving forward, as it may be too late once construction has begun for meaningful and necessary changes to be made that minimize the impact on crossborder flows, especially considering that the EPA and USIBWC have concerns themselves about the assessment CBP has conducted as the basis for any design.
Antoinette Reyes, Sierra Club	I urge you to halt the construction of the Tijuana River Border Barrier. Any infrastructure in this water way will interrupt the river's natural flow impacting upstream waters, paired with possible gate malfunctions or human error (not lifting the gates during the rainy season) - The risks are significant; posing a threat to the entire wetland ecosystem on both sides of the border well as increasing the likelihood of catastrophic flooding in Tijuana and surrounding areas. Not to mention the risks construction poses to contaminating water in the region.

	<p>Please consult and collaborate with local experts/NGOs (Mexican & US) in order to make an informed decision. The decision process should consider the impacts this project will have to regional water quality, our shared ecosystem, and the overall quality and ability to live in the area. Please also conduct further analysis of potential impacts of this project. My final ask is that you go a step further and make sure that the project passes NEPA standards before implementation.</p>
<p>Daniel Watman, Binational Friendship Garden of Native Plants</p>	<p><u>I . . . implore that construction of the Tijuana River Border Barrier be delayed in order to:</u></p> <ol style="list-style-type: none"> 1. First pass NEPA standards before implementation 2. Allow for further analysis on potential environmental and humanitarian impacts of the project 3. Further consultation and collaboration with prominent Mexican and US NGOs working on water quality issues in our region <p><u>Justification for these requests:</u></p> <ul style="list-style-type: none"> • As it stands, this project will thwart the \$300 million dollar investment for a project that has already been started and would reduce significantly water contamination issues in the region. Info here • If the flood gates are lifted during the rainy season as intended, the bridge infrastructure that is part of the current plan will still slow the river flow, having negative impact upstream and causing flooding in Tijuana. • If the gates malfunction, the impact could be catastrophic flooding major urban areas in Tijuana and possibly damaging the wetland ecosystem on both sides of the border • Many prominent environmental NGOs in Mexico and the United States in this region and nation wide on both sides were not consulted or included in the decision process that will impact our shared ecosystem and overall quality of living for the region.
<p>Dinah Bear (former General Counsel of the Council on Environmental Quality 1983-1993, and 1995–2007)</p>	<p>I write to urge EPA to strongly encourage Customs and Border Protection to comply with NEPA in a tiered-down process prior to construction of the Tijuana River Border Barrier. While CBP maintains that it is acting in a manner "consistent with NEPA", in fact, it is not. It's analysis bypasses a serious alternatives analysis and the type of in-depth analysis of environmental and related social and economic effects of its actions. There is no legal barrier to CBP actually complying with the statutory and regulatory requirements and its own NEPA procedures.</p>

<p>Margarita Diaz, Executive Director and Tijuana Waterkeeper, Proyecto Fronterizo de Educación Ambiental in Tijuana, Baja California, Mexico</p>	<p>My comment is regarding the construction and operation of the Tijuana River Border Barrier (Action 20) which we are concerned could pose a serious risk of catastrophic flooding of urban areas in the City of Tijuana.</p> <p>We request that before launching the construction of theTijuana</p> <p>[Note: remainder of comment is cut off]</p>
<p>Joanie Connors & Starr Belsky, Borderlands Committee, Aldo's Silver City Broadband of the Great Old Broads for Wilderness Silver City, NM</p>	<p>We have concerns about the adjustable gates/barriers planned by the CBP to prevent access by undocumented immigrants and smugglers. If the gates malfunction, the impact could be catastrophic and possibly damage the wetland ecosystem on both sides of the border. Also, when the gates are lifted during the rainy season as intended, the bridge infrastructure that is part of the current plan will still slow the river flow, causing negative impact upstream including flooding.</p> <p>We urge planners of this project to consider and meet NEPA standards before implementing these gates. You must ensure that the CBP's aims do not undercut the desired environmental benefits of this project.</p>